

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CADLEROCK JOINT VENTURE, L.P.,

Plaintiff,

-against-

ORDER ADOPTING REPORT &  
RECOMMENDATION  
07-CV-774 (JS)(ETB)

FRANKLIN VALLE, BRENTWOOD REALTY  
HOLDING CORP. and "JOHN DOE" #1  
through "JOHN DOE" 10, the last ten  
names being fictitious and unknown  
to plaintiff, the persons or parties  
intended being the tenants, occupants,  
persons, or corporations, if any,  
having or claiming an interest in or  
lien upon the premises described in the  
complaint,

Defendants.

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APPEARANCES:

For Plaintiff:           Jack Hassid, Esq.  
                                 Law Offices of Jack Hassid, Esq.  
                                 460 Park Avenue, 10<sup>th</sup> Floor  
                                 New York, New York 10022

For Defendants:         No appearance

SEYBERT, District Judge:

Upon review of the Report and Recommendation ("Report")  
of Magistrate Judge E. Thomas Boyle, issued January 4, 2008, to  
which no party has objected, the Court hereby ADOPTS the Report in  
its entirety.

Pursuant to Rule 72 of the Federal Rule of Civil  
Procedure any objections to the Report were to be filed with the  
Clerk of the Court within ten days of service of the Report. The  
time for filing objections has expired and no Party has objected.

Accordingly, all objections are hereby deemed to have been waived.

The Court ADOPTS the Report in its entirety and ORDERS (1) the entry of a default against Defendants Valle and Brentwood Realty, pursuant to which the mortgage at issue in this action be foreclosed and the premises sold, (2) the action be dismissed as to the fictitious Defendants "John Doe" #1 through "John Doe" #10, (3) that the proceeds of the sale of the premises be used to compensate Plaintiff for \$295,157.42 in principal that is owed under the note and mortgage, and \$67,374.74 in interest that is owed under the note and mortgage, (4) that Defendant Valle be held personally liable for any monetary deficiency that remains after the sale of the premises, and (5) that Plaintiff be granted \$10,402 in attorneys' fees and \$2,032.06 in disbursements.

SO ORDERED

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated:      Central Islip, New York  
              March 7, 2008